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5 IN THE UNITED STATES DISTRICT COURT  
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7 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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9 B & R SUPERMARKET, INC., *et al.*,

No. C 16-01150 WHA

10 Plaintiffs,

11 v.

12 VISA, INC., *et al.*,

13 Defendants.  
14 \_\_\_\_\_/

**ORDER RE ADMINISTRATIVE  
MOTIONS TO FILE UNDER  
SEAL IN CONNECTION WITH  
MOTION TO TRANSFER**

15 In connection with defendants' motion to transfer (Dkt. No. 437), both sides have filed  
16 administrative motions to file under seal (Dkt. Nos. 436, 445, 449, 452). The motions seek to  
17 keep under seal two pleadings from the multidistrict litigation in the Eastern District of New  
18 York, as well as references to said pleadings in other documents, on the basis that the pleadings  
19 contain purportedly confidential information. Declarations submitted in support of sealing  
20 indicated that (1) both pleadings in question remain under seal in the MDL, and (2) public  
21 versions of the pleadings with more tailored redactions would be filed around March 31.

22 The parties have offered no further explanation as to why the two MDL pleadings and  
23 their contents deserve to be kept under seal here. The Court's own review of the parties'  
24 redactions revealed nothing that would justify sealing — particularly wholesale sealing of the  
25 type sought here — under the standards set forth in *Kamakana v. City & Cty. of Honolulu*, 447  
26 F.3d 1172 (9th Cir. 2006), which remain the controlling standards in *this* litigation.

27 Nonetheless, out of respect for the Eastern District of New York — and with the  
28 expectation that the parties would soon file revised versions of the materials sought to be kept

1 under seal with more tailored redactions, if any — the Court stayed its hand as to the motions.  
2 As of this order, however, no public versions have been filed in this action. All movants  
3 responsible for these administrative motions shall **SHOW CAUSE** by **APRIL 13 AT NOON** why  
4 anything in connection with defendants' motion to transfer should be kept under seal. To the  
5 extent that any movant continues to request sealing under the standards set forth in *Kamakana*,  
6 that movant shall also revise both the proposed order on their sealing motion and the redacted  
7 versions of their materials accordingly, and file all revised documents by **APRIL 13 AT NOON**.

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9 **IT IS SO ORDERED.**

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11 Dated: April 7, 2017.

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14 WILLIAM ALSUP  
15 UNITED STATES DISTRICT JUDGE  
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